K 1941.

File No. Workmen's Comp II/41

Legal **DEPARTMENT**

B **BRANCH**

Subject:—

Rules and Notifications.
under the
Workmen's Compensation Act. 1923

Std. Sectt. Slip 24 B e.

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2.	U.R. to P.& G.D. No.5942 dated 9th July 1941.	Exercise of powers under G.N. P.D. No.7820 dated 30-3-1931 by Agent to H Deccan States ---	15-16.

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Office of the R.I.A.

A revised draft of the rules is appended.

2. Under sub-section (3) of section 34 of Workmens' Compensation Act, 1923, the date to be specified in the provisional notification as that after which the draft rules would be taken into consideration shall not be less than 3 months from the date on which the draft rules were published for general information. The P.& S.Department should specify the date in the notification in accordance with this provision.

3. Rule 1. - The title has been changed to Bombay Workmen's Compensation (Unclaimed Deposits) Rules,1941.

4. Rule 2. - Two new definitions of "Treasury" and "Financial Year" have been added. It is presumed that in the ~~X~~ City of Bombay the Reserve Bank of India will do the work of the Treasury.

5. Rule 3 of the P.& S.D. draft has been split up into revised rules 3 and 4. The P.& S.D. draft provides that claims may be lodged at any time before 31st March, while the amounts are to be credited to Government not later than the forenoon of 31st March. As claims may be filed at any time up to 30th March, the amounts can only be ~~credited~~ credited to Government on the noon of 31st March. This may not always be possible, for 31st March may be a public holiday. P.& S.D. may, therefore consider whether it would be desirable to prescribe an earlier date, e.g. 25th March, as the date before which claims should be made.

6. Rule 5 of the revised draft corresponds to rule 4 of the P.& S.D. draft. Since the form appended to the rules provides for an application being made for refund to the Accountant General, Bombay, the provision in P.& S.D. draft rule 4 that deposits credited to Government cannot be repaid without the sanction of the Accountant General is unnecessary and has been omitted.

M.V.V.
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7. The P.& S.Department draft rule 4 provides for two forms of application, one for the Commissioner for Workmen's Compensation, Bombay and the other for ex-officio Commissioners. The form of application to be used by the latter is Form M on page 426 of Civil Manual, Vol.II, 1940. There is no difference in the two forms viz. the proposed Form F and the Form M on page 426 of Civil Manual, Vol.II, 1940. It is not, therefore, necessary to prescribe two forms one for the City of Bombay and another for the mofussil. Only one form, Form A, has been therefore included in the revised ~~the~~ draft notification.

Sd.
11/8.
Remembrancer of Legal Affairs.

U.R. to P. & S.D. No.7119, dated the 12th August 1941.

M.V.V.
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Legal Department.

By paragraph (1) of Gove rnment of India, Foreign and Political Department Notification No. 137-I, dated the ~~xx~~ 1st. April 1933, G.N., P.D.No.7890, dated the 30th March 1931, was continued in force, subject to the modifications suggested in Government of India Notification, Foreign and Political Department No.485-I, dated the 3rd October 1924, in Schedule II, serial No.I on p.4 of P.D. File No. 9711/193 . By these modifications, the powers which were previously exercised by the Local Government in respect of the Kolhapur and Sangli railways were transferred to the Agent to the Governor General for the Deccan States and Resident at Kolhapur. Therefore, the Agent to the Governor ~~Xxxx~~ General for the Deccan States and Resident at Kolhapur will be the proper authority to state whether G.N., P.D. No.7890, dated the 30th March 1931, in question is still in force, or has been superseded or amended in any way by him after 1st April 1933. It has been decided not to include the above notification in the revised edition of local rules and orders as the Government of Bombay has no longer any powers in the matter.

Sd.

For Secretary to the Government of B'bay.
Legal Department.

U.R. to P.& S.D. No.5943 dated 9th July 1941.

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